

Senate Bill No. 975

Passed the Senate August 25, 2005

Secretary of the Senate

Passed the Assembly August 22, 2005

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2005, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add and repeal Article 6 (commencing with Section 43860) of Chapter 4 of Part 5 of Division 26 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 975, Ashburn. Air quality: biodiesel fuel.

Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Existing law requires the state board to establish, by regulation, various standards for gasoline and motor vehicle fuel.

This bill would provide that any public agency, or regulated utility, or owner or operator of a solid waste collection or collection vehicle, as defined, may use a biodiesel blend fuel, as defined, in any retrofitted vehicular or off-road diesel engine certified by the state board.

This bill would repeal its provisions on January 1, 2008, as specified.

The people of the State of California do enact as follows:

SECTION 1. Article 6 (commencing with Section 43860) is added to Chapter 4 of Part 5 of Division 26 of the Health and Safety Code, to read:

Article 6. Biodiesel and Biodiesel Blend Fuels

43860. (a) Any federal, state, or local agency, or any regulated utility, or any owner or operator of a solid waste collection vehicle or collection vehicle, as defined in Section 2021 of Title 13 of the California Code of Regulations, may utilize a biodiesel blend fuel consisting of not more than 20 percent biodiesel in any retrofitted vehicular or off-road diesel engine certified by the state board, whether or not biodiesel is expressly identified as a fuel for use with the retrofit system.

(b) For purposes of this section:

(1) “Biodiesel” means a fuel comprised of mono-alkyl esters of long chain fatty acids derived from vegetable oils or animal fats, designated B100, and meeting the requirements of the American Society for Testing and Materials (ASTM) D-6751.

(2) “Biodiesel blend” means a blend of biodiesel fuel meeting the requirements of the American Society for Testing and Materials (ASTM) D-6751 with California Air Resources Board (CARB) diesel fuel, designated BXX, where XX represents the volume percentage of biodiesel fuel in the blend.

(c) This article shall remain in effect until January 1, 2008, and on that date is repealed unless a later enacted statute, that is enacted before January 1, 2008, deletes or extends that date.

Approved _____, 2005

Governor